



DEPARTMENT OF HEALTH  
AND ENVIRONMENT

Division of Environment

Kathleen Sebelius, Governor  
Roderick L. Bremby, Secretary

www.kdheks.gov

## Permit Application

### Livestock Waste Management Program

**Instructions: PLEASE PRINT.** Complete and provide all information as requested. Attach all drawings and plans to this application. If you need assistance with completing this form please call (785) 296-6432 or your local KDHE District Office. Mail completed application to:

☒ **LIVESTOCK WASTE MANAGEMENT SECTION**  
**KDHE - BUREAU OF WATER**  
**1000 SW JACKSON STREET, SUITE 420**  
**TOPEKA, KS 66612-1367**

#### Department Use Only

Facility ID No. 15494  
Certification No. \_\_\_\_\_  
Permit No. 1098 A-BBWS-5058  
Date Permit Application Complete: \_\_\_\_\_  
Permit Fee: Yes No

**RECEIVED**

JUL 08 2009

**BUREAU OF WATER**

**NOTICE:** Failure to provide all required documentation at the time of submission of this permit application will result in the entire permit package being returned to the applicant for completion.

#### FACILITY IDENTIFICATION

1. Name of Applicant: Tyler Rose Date: 6-15-2009  
Name of Property owner(s) (if different than Applicant): \_\_\_\_\_
2. Name of Facility: Rose Pork
3. Mailing address: 870 29<sup>th</sup> Rd.  
City: Mahaska State: Ks. Zip: 66955
4. Facility address (if different): same as above  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_
5. Business Telephone No.: 785-245-3248 Home Telephone No.: 785-819-4481  
Cellular Telephone No.: 785-819-4481 Fax No.: \_\_\_\_\_  
E-Mail address: tgr\_2002@hotmail.com

hereby makes application to the Kansas Department of Health and Environment in conformance with K.S.A. 65-171d et seq. and K.A.R. 28-18-1 through 17, and/or 28-18a-1 through 33.

## FACILITY DESCRIPTION

### 6. Legal description of property where facility is located:

Facility ID	SW	8	1	South	2	Circle: E or W	Washington
	Quarter(s)	Section	Township		Range		County

Facility ID				South		Circle: E or W	
	Quarter(s)	Section	Township		Range		County

Facility ID				South		Circle: E or W	
	Quarter(s)	Section	Township		Range		County

Directions from nearest city or town From Mahaska, Ks 6 miles east  
and 1 south

### 7. The existing, proposed, and/or expanded livestock operation will consist of: (please indicate Existing or Proposed)

☐ Open Lots 
 ☒ Enclosed Bldg. 
 ☐ Both Open/Closed 
 ☐ Truck Wash 
 ☐ Other

### 8. Existing and/or proposed waste control systems: (please indicate Existing or Proposed)

☐ Lagoon 
 ☐ Sedimentation Basin 
 ☒ Concrete Storage Structure

Other (explain) proposed deep pit in building

### 9. Are there any local comprehensive land use plans or zoning requirements at this site?

Yes ☐ No ☒

If yes, please explain: \_\_\_\_\_

### 10. Indicate the type and size of equipment available for: 1) land application, and 2) transportation of process waste (in any form: liquid, slurry, or solid), and for each piece of equipment whether it is owned, leased, or contractor provided:

Equipment Description (55 hp tractor, high lift, pto driven pump, manure wagon, honey wagon, center pivot, traveling gun, etc.)	Equipment Purpose (transportation, collection, land application, agitate manure in basin, etc.)	Capacity (gallons per minute, gallons, bushels, acres, cubic yards, etc.)	Owned (O), Leased (L), or Contractor's (C)
traveling gun	application		C
supply hose	Transportation		C
pump	Transportation/ Application		C

# ANIMAL UNITS CALCULATION TABLE

Please complete the table below. Be certain to identify all the types of animals that you have at your facility. Each pig, weaned or unweaned, weighing less than 55 pounds must be counted as 0.1 animal units. Similarly, for permitting purposes, dairy facilities must count calves and heifers weighing less than 700 pounds as 0.5 animal units and bulls, and heifers weighing more than 700 pounds as 1.0 animal units. Lactating and dry dairy cattle should be counted as 1.4 animal units, etc.

(A)	(B)	(C)	(D)	(E)
Type of Facility	Maximum Permitted Capacity (Head)	Proposed Expansion or New (Head)	AU Conversion Factor	Maximum Animal Units (B+C) x D
Swine weighing more than 55 pounds		1500	0.4	600
Swine weighing 55 pounds or less			0.1	
Cattle weighing more than 700 pounds			1.0	
Cattle weighing less than 700 pounds			0.5	
Mature Dairy Cattle (Lactating and Dry)*			1.4	
Sheep/Lambs/Goats			0.1	
Turkeys*			0.018	
Laying Hens/Broilers w/ continuous overflow watering			0.01	
Laying Hens/Broilers w/ liquid manure system*			0.033	
Chickens (other than Laying Hens) w/ other than liquid manure system* <sup>1</sup>			0.008	
Laying Hens w/ other than liquid manure system* <sup>1</sup>			0.0122	
Horses			2.0	
Ducks w/ liquid manure system			0.2	
Ducks w/ other than liquid manure system			---	
Other-specify species _____				
Total				600

\*EPA thresholds requiring an NPDES permit are 1,000 AU of any species except for the following: 700 head of Mature Dairy Cattle, 55,000 head of Turkeys, 30,000 head of Laying Hens/Broilers w/ liquid manure system, 125,000 head of Chickens other than laying hens w/ other than liquid manure system, and 82,000 Laying Hens w/ other than liquid manure system.

<sup>1</sup> Use a 0.033 AU conversion factor if the manure, from chicken facilities that only use dry litter systems, is exposed to precipitation during collection, when stored in stockpiles, or land applied without incorporation into the soil within 24 hours.

## SEPARATION DISTANCE WAIVERS AND PUBLIC NOTICE REQUIREMENTS

**Habitable Structure Separation Distances:** On Appendix 2, list all owners of habitable structures, and the headquarters of all city, county, state, or federal parks, and wildlife refuges within the applicable separation distance for the maximum animal unit capacity of the facility.

	<u>Animal Units (AU)</u>	<u>Habitable structure Separation Distance</u>	<u>Wildlife Refuge Separation Distance (Swine Only)</u>
new facility or expansion	300-999	1,320 feet	
new facility or expansion	1,000-3,724*	4,000 feet	10,000 feet
swine expansion that will meet or exceed	3,725	4,000 feet**	
new swine facility that will meet or exceed	3,725	5,000 feet	16,000 feet

\* no ceiling for non-swine

\*\* if within original designated expansion boundary, otherwise 5,000 feet.

The applicant should request owners of habitable structures within the applicable separation distance to sign a waiver of the separation distance to the proposed facility. Waivers shall be filed by the applicant with the register of deeds office of the county in which the habitable structure is located. Evidence of proper notice such as, signed waiver agreements, or signed certified mail receipts to match the list provided in Appendix 2. These shall be provided before KDHE will notify the public a permit has been drafted. A Confined Animal Feeding Facility/Habitable Structure - Separation Distance Agreement form is available upon request from the department or on-line at <http://www.kdheks.gov/feedlots/#links>.

The applicant of a proposed new construction or new expansion of a **swine** facility is required to give notice to all owners of habitable structures within the applicable separation distance, by certified mail, of the applicant's intention to apply for a water pollution control permit. The notice should include pertinent information regarding the location, size, general methods of waste management, and any other information the applicant deems necessary.

**ATTENTION: FAILURE TO PROVIDE REQUIRED NOTICE OF APPLICATION FOR A WATER POLLUTION CONTROL PERMIT TO OWNERS OF HABITABLE STRUCTURES, WITHIN THE SEPARATION DISTANCE IS GROUNDS FOR AUTOMATIC DENIAL OF THE PERMIT APPLICATION BY THE SECRETARY OF KDHE**

**List of Property Owners Within One Mile of the Facility:** On Appendix 2a the applicant is required to provide KDHE with a list containing the names and mailing addresses for each owner of a habitable structure or any property within 1 mile of a proposed **new construction or new expansion** of a confined feeding facility. In addition, the applicant of a proposed new construction or new expansion of a confined feeding facility is required to provide KDHE with the address of the United States post office or offices serving the immediate area of the facility.

**Public Notice Requirements:** Attach all waiver and public notice documentation listed in Appendix 3 to this application.

## PRODUCER'S CHECK LIST

For this permit application to be considered complete and ready for the department to review, the applicant must provide the following documentation. Please check and assemble in the order listed. Additional guidance on specific components is available upon request through the Department. Please call (785) 296-6432 or go on-line at [www.kdhe.ks.gov/feedlots/](http://www.kdhe.ks.gov/feedlots/) for assistance.

### Appendix

#### Number Document

- \_\_\_\_\_ 1. Facility Site Maps – see page 7 for details
- \_\_\_\_\_ 2. List of Habitable Structure Owners within applicable separation distance – see pages 4 and 8 for details
- \_\_\_\_\_ 2a. List of Habitable Structures/Property Owners within one mile (proposed new construction or new expansion) – see page 9 for details
- \_\_\_\_\_ 3. Public Notice Documentation – see page 10 for details
- \_\_\_\_\_ 4. Depth to Groundwater Information
- \_\_\_\_\_ 5. Facility Design Calculations
- \_\_\_\_\_ 6. Construction Drawings\*
- \_\_\_\_\_ 7. Waste Management Plan
- \_\_\_\_\_ 8. **Swine Facility Plans** (include the following as appropriate):
  - \_\_\_\_\_ a. Manure Management Plan [Required if 1,000 AU or more]
  - \_\_\_\_\_ b. Nutrient Utilization Plan [Required if 1,000 AU or more]
  - \_\_\_\_\_ c. Emergency Response Plan [Required if 1,000 AU or more]
  - \_\_\_\_\_ d. Odor Control Plan [Required if 1,000 AU or more]
  - \_\_\_\_\_ e. Dead Swine Handling Plan [Required if 1,000 AU or more]
  - \_\_\_\_\_ f. Facility Closure Plan [Required if 3,725 AU or more]
  - \_\_\_\_\_ g. Financial Assurance for Facility Closure [Required if 3,725 AU or more]
  - \_\_\_\_\_ h. Financial Assurance for Swine Waste-Retention Lagoon or Pond Closure [Required if 3,725 AU or more]
  - \_\_\_\_\_ i. Ground Water Monitoring Plan [Required for certain swine facilities (see K.A.R. 28-18a-18).]

**\*Provide detailed location/site plans indicating the following:**

Major components of the facility including structures - building sizes/locations, property lines, locations and sizes (length, width, height - area/volume capacity) of lagoons, dirt lots, pits, and manure stockpile locations. Plans should include type, size and maximum anticipated number of animals in each building and/or dirt lot. Also, depict the furthest extent of the facility boundaries to include areas which may be used for future expansion.

**ANNUAL PERMIT FEE**

When a permit is required the annual permit fee is based on the facility's maximum number of animal units as listed below and **must be paid before processing** of the permit and annually to maintain the validation of the permit. These fees are non-refundable.

Facility Size in Animal Units (AU)	Annual Permit Fee
999 AU or less	\$25
1,000 to 4,999 AU	\$100
5,000 to 9,999 AU	\$200
10,000 AU or more	\$400
Private Truck Washing Facility (two or fewer owned trucks)	\$25
Private Truck Washing Facility (three or more owned trucks)	\$200
Commercial Truck Washing Facility	\$320

**PLEASE MAKE CHECK PAYABLE TO:  
KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT**

**SIGNATURE/CERTIFICATION**

**Swine Facility Consultation Statement:** (if applicable)

X I, Tyler Rose, will consult with the KSU county extension agent, or qualified  
(Applicant's Name)

agronomist or individual trained in crop protection, to ensure application of swine wastes at agronomic rates and that records of this information will be available at the swine facility office as prescribed in K.S.A. 65-1,179(b)(3)(E).

X Applicants Signature: \_\_\_\_\_ Date: 7-7-09

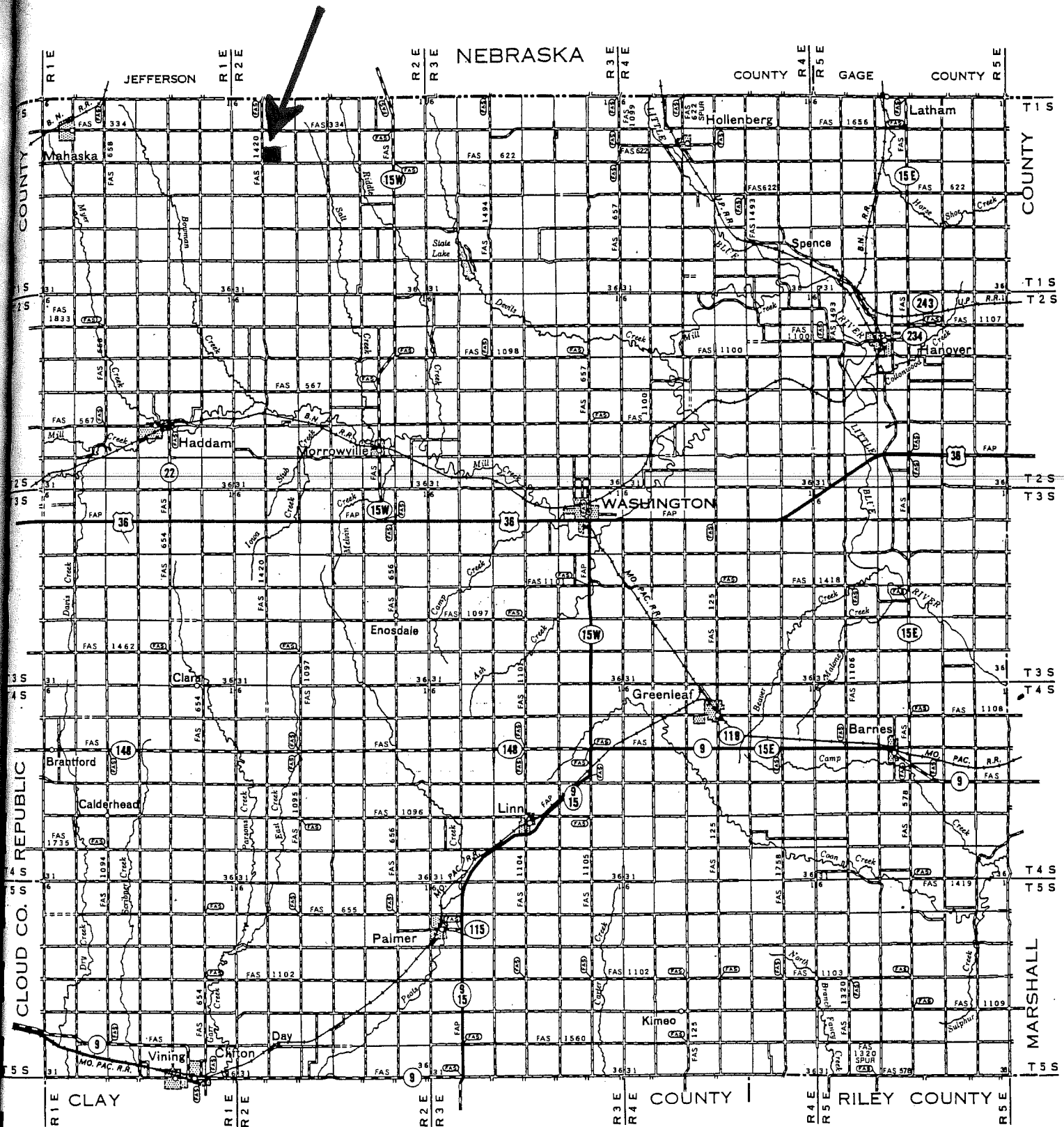
**Permit Application Certification:** (required for all species)

This application is to be signed by one of the following: (1) In the case of a corporation, by the principal executive officer of at least the level of Vice President; (2) in the case of a partnership, by a general partner; and (3) in the case of a sole proprietorship, by the proprietor.

I hereby certify that the information submitted herein is true and correct to the best of my knowledge and belief:

X Applicants Name: Tyler Rose Owner  
(Type or Print Name and Title)

X Applicants Signature: \_\_\_\_\_ Date: 7-7-09



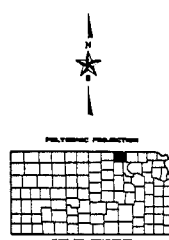
# LEGEND

**ROADS AND ROADWAY FEATURES**

- PRIMITIVE ROAD
- UNIMPROVED ROAD
- GRADED AND DRAINED ROAD
- SOIL SURFACED ROAD
- GRAVEL OR STONE ROAD
- NOT GRADED OR DRAINED
- GRAVEL OR STONE ROAD
- GRADED AND DRAINED
- GRAVEL OR STONE ROAD WITH STABILIZED SURFACE
- BITUMINOUS ROAD-LOW TYPE
- PAVED ROAD
- DIVIDED HIGHWAY
- HIGHWAY WITH FULL CONTROL OF ACCESS AND INTERCHANGE

**ROAD SYSTEM DESIGNATION**

- FEDERAL-AID INTERSTATE HIGHWAY SYSTEM
- FEDERAL-AID PRIMARY HIGHWAY SYSTEM
- FEDERAL-AID SECONDARY HIGHWAY SYSTEM
- INTERSTATE NUMBERED HIGHWAY
- U.S. NUMBERED HIGHWAY
- STATE HIGHWAY SYSTEM OR STATE NUMBERED HIGHWAY
- END OF DESIGNATED SYSTEM OR MARKED ROUTE



## WASHINGTON COUNTY KANSAS

PREPARED BY THE  
STATE HIGHWAY COMMISSION OF KANSAS  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
IN COOPERATION WITH THE  
U. S. DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION

SCALE  
1972